

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARDIn the Matter of Application Serial No. 76/131,171
Published in the *Official Gazette* of August 14, 2001-----X
FOUR STAR INTERNATIONAL :
TRADING COMPANY, :

Opposer, :

Opposition No. 91/124,553 :

- against - :

SPICE MARKET, INC. :

Applicant. :
-----X

05-12-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

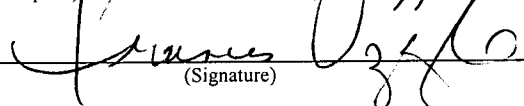
Box TTAB
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514MOTION TO WITHDRAW AS ATTORNEYS OF RECORD FOR APPLICANT
WITH DECLARATION

Pursuant to 37 C.F.R. § 10.40 (a), the attorneys of record in the above-referenced proceeding, Baila H. Celedonia, Meichelle R. MacGregor and all other attorneys at Cowan, Liebowitz & Latman, P.C., 1133 Avenue of the Americas, New York, New York 10036, ("CL&L"), respectfully request leave to withdraw as Applicant's attorneys of record.

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514 on

5/12/04
(Date of Deposit)FRANCESCO
(Print name)
(Signature)

As set forth in the attached declaration of Meichelle R. MacGregor, Esq., this request is being made pursuant to 37 C.F.R. 10.40(c)(1)(vi) on the ground that Applicant has failed to pay several bills rendered by CL&L for an unreasonable period of time. There will be no foreseeable prejudice to the rights of Applicant as a consequence of CL&L's withdrawal. Indeed, this matter has been in suspense until only recently. Moreover, Applicant has been notified several times, beginning in or about the Fall of 2003, that CL&L would no longer represent Applicant in this proceeding or in connection with any other matter given Applicant's failure to pay CL&L's fees and Applicant has been advised to engage new counsel if it so desires. Indeed, Applicant has had more than sufficient time to engage new counsel although, to CL&L's knowledge, it has failed to do so. Applicant is aware that CL&L has the papers and property that relate to this proceeding, and said papers and property will be returned to Applicant upon Applicant's request. There are no fees paid in advance in connection with this matter that have not been earned.

WHEREFORE, CL&L, the Attorneys of Record, respectfully request the Trademark Trial and Appeal Board to issue an Order granting CL&L leave to withdraw as Applicant's Attorneys of Record in the above-captioned opposition and directing that all future correspondence in this matter be addressed to Applicant at Applicant's new address, namely Spice Market, Inc., 230 Fifth Avenue, #513, New York, New York 10001, Attention Joel Bahr, President.

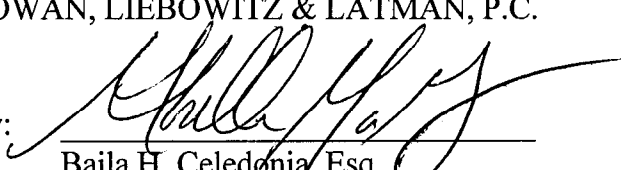
Meichelle R. MacGregor has been authorized by all other attorneys at Cowan,
Liebowitz & Latman, P.C. to sign this motion to withdraw on their behalf.

Dated: New York, New York
May 12, 2004

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P.C.

By:



Baila H. Celedonia, Esq.
Meichelle R. MacGregor, Esq.
1133 Avenue of the Americas
New York, New York 10036
(212) 790-9200

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DECLARATION OF MEICHELLE R. MACGREGOR, ESQ.

MEICHELLE R. MACGREGOR, pursuant to 28 U.S.C. § 1746, declares:

1. I am an associate with the law firm of Cowan, Liebowitz & Latman, P.C. I submit this declaration in support of the motion of Baila H. Celedonia, Meichelle R. MacGregor and all other attorneys at Cowan, Liebowitz & Latman, P.C., 1133 Avenue of the Americas, New York, New York 10036 ("CL&L") for leave to withdraw as Applicant's attorneys of record in connection with the above-captioned opposition.

2. Applicant has failed to pay several bills rendered by CL&L for an unreasonable period of time.

3. There will be no foreseeable prejudice to the rights of Applicant as a consequence of CL&L's withdrawal. Indeed, this matter has been in suspense until only recently.

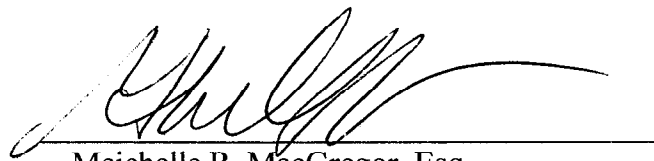
4. CL&L has notified Applicant several times, beginning in or about the Fall of 2003, that CL&L would no longer represent it in connection with this matter, and has given Applicant sufficient time to engage new counsel. Indeed, Applicant has had more than sufficient time to engage new counsel -- several months -- although, to CL&L's knowledge, it has failed to do so

5. Applicant is aware that CL&L has the papers and property that relate to this proceeding, and said papers and property will be returned to Applicant upon Applicant's request.

6. There are no fees paid in advance that have not been earned in this matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 12, 2004



Meichelle R. MacGregor, Esq.

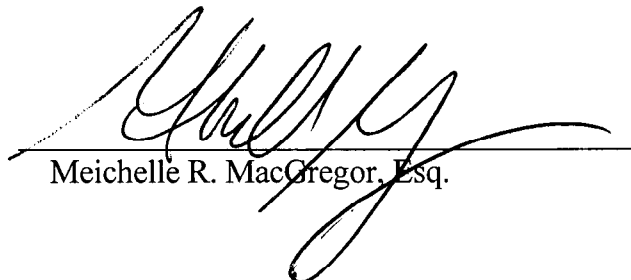
CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2004, a copy of the foregoing MOTION TO
WITHDRAW AS ATTORNEYS OF RECORD FOR APPLICANT WITH DECLARATION
was served on Applicant by mailing a copy first class mail, postage prepaid, in a sealed
envelope addressed to:

Joel Bahr, President
Spice Market, Inc.
230 Fifth Avenue, #513
New York, New York 10001

and

Elliot A. Salter, Esq.
Salter & Michaelson
321 South Main Street
Providence, R.I. 02903



Meichelle R. MacGregor, Esq.